

BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

Jeffrey L. Pursley, Director of) Application No.911-020.02
the Nebraska Telecommunications)
Infrastructure and Public Safety)
Department of the Nebraska)
Public Service Commission,)
)
Complainant,)
v.)
)
1-800-Reconex; Applied)
Communications Technology Inc.;)
Arapahoe Telephone Company d/b/a)
ATC Communications; Cable USA,)
LLC; Charter Fiberlink- Nebraska)
L.L.C. a/k/a Charter)
Communications VI, LLC;)
Citistream Communications, Inc.;)
Community Internet Systems,) ORDER TO DISMISS, IN PART
Inc.; Cozad Telephone Company;)
Dalton Telephone Company; Elsie)
Communications, Inc.; Global)
Connection Inc. of America;)
Granite Telecommunications,)
L.L.C.; MCImetro Access)
Transmission Services, L.L.C.;)
Northstar Telecom, Inc.; Three)
River Telco; Three River)
Communications, L.L.C.; Time)
Warner Cable Information)
Services (Nebraska), L.L.C.; VCI)
Company d/b/a Vilaire)
Communications, Inc.;)
)
Respondents.) Filed: August 5, 2008

BY THE COMMISSION:

On June 10, 2008, Jeff Pursley, Director of the Nebraska Telecommunications Infrastructure and Public Safety Department (Complainant), filed a complaint in this docket alleging a violation of Neb. Rev. Stat. § 86-437. Complainant alleged Respondents failed to timely file with the Commission annual reporting information as required by § 86-437(2) by April 30, 2008. Complainant sought an order assessing administrative fines and ordering Respondents to comply with the reporting requirements.

The Respondents listed below have signed a stipulation with the Complainant wherein Respondents has agreed to pay an administrative fine and costs to dismiss the departmental complaint:

Cable USA, LLC
Three River Communications, L.L.C.
Three River Telco

The Respondents has submitted the required report in compliance with Commission requirements. The fine amount was reduced for the Respondents due to the period of time between the filing of the complaint and the mailing of the complaint to the Respondents. The Commission finds that the signed stipulations and reduced payments are satisfactory and therefore the above-listed Respondents should be dismissed from the complaint.

The companies listed in the preceding paragraph should be aware that this Commission will not tolerate similar behavior in 2009 regarding the filing of the 2008 report. If reports are not postmarked on or before April 30, 2009, the option of resolving the complaint through a stipulation will be closely scrutinized. All companies that have agreed to such a stipulation will be considered a willful violator and be subject to the maximum penalty allowed.

O R D E R

IT IS THEREFORE ORDERED by the Nebraska Public Service Commission that Cable USA, LLC; Three River Communications, L.L.C.; and Three River Telco be, and hereby are, dismissed from the complaint.

MADE AND ENTERED at Lincoln, Nebraska this 5th day of August, 2008.

NEBRASKA PUBLIC SERVICE COMMISSION

COMMISSIONERS CONCURRING:

Chair

ATTEST:

Executive Director